

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**COREY FORD,**

**Plaintiff,**

**v.**

**9:06-CV-890  
(FJS/DEP)**

**ROBERT KRUSEN, DONALD SELSKY, and  
ANDREW HARVEY,**

**Defendants.**

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**APPEARANCES**

**OF COUNSEL**

**COREY FORD**

**95-A-8605**

Shawangunk Correctional Facility

P.O. Box 700

Wallkill, New York 12584

Plaintiff *pro se*

**OFFICE OF THE NEW YORK  
STATE ATTORNEY GENERAL**

The Capitol

Albany, New York 12224

Attorneys for Defendants

**BRUCE J. BOIVIN, AAG**

**SCULLIN, Senior Judge**

**ORDER**

Currently before the Court is Magistrate Judge Peebles' December 7, 2007 Report and Recommendation to which the parties have filed no objections. Having reviewed that Report and Recommendation and the entire file in this matter, the Court hereby

**ORDERS** that Magistrate Judge Peebles' conclusion that the state courts' determinations addressing and rejecting Plaintiff's arguments are entitled to preclusive effect, barring relitigation

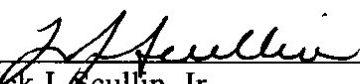
of those claims in the context of this action is **ADOPTED** for the reasons stated therein; and the Court further

**ORDERS** that, **within thirty (30) days** from the filing date of this Order, Plaintiff may file an amended complaint which **shall supersede and replace in its entirety Plaintiff's original complaint** and which must allege acts of misconduct or wrongdoing against Defendant(s) that Plaintiff has a legal right to pursue (that is, claims that are not precluded) and over which this Court may properly exercise jurisdiction; and the Court further

**ORDERS** that, if Plaintiff fails to comply fully with this Order **within thirty (30) days** from the filing date of this Order, the Clerk of the Court shall enter judgment dismissing this action without further Order of this Court due to Plaintiff's failure to comply fully with the terms of this Order.

**IT IS SO ORDERED.**

Dated: January 15, 2008  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge